

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BLUE SAGE CONSULTING, INC.,  
*Plaintiff,*

v.

FAILSAFE AIR SAFETY SYSTEMS CORP.,  
*Defendant,*

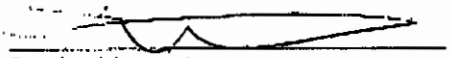
Civil Action No. 05-11483 NG

**DEFENDANT'S RULE 16.1(D)(3) CERTIFICATION**

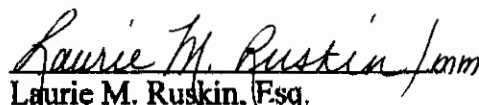
Pursuant to Local Rule 16.1(D)(3), we hereby affirm that we have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the above-entitled litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

December 3, 2005

  
Paul Chirayath  
President & CEO,  
Failsafe Air Safety Systems Corp.

December 5, 2005

  
Laurie M. Ruskin, Esq.  
Counsel for  
Failsafe Air Safety Systems Corp.